

## Remarks

Claims 10-40 are pending in the application. Claims 10 and 11 are allowed. Claims 12-40 are rejected. Claims 12, 27, 33 and 38 are objected to. Claims 12, 17-18, 21-22, 27, 33, 37-38, and 40 are amended herein. No new matter is added. All rejections and objections are respectfully traversed.

The Applicants note with appreciation the Examiner's allowance of claims 10 and 11.

Claims 12, 27, 33 and 38 are amended to overcome the Examiner's objections. Claims 17 and 21 are amended to correct typographical errors. Claims 18, 22, 37 and 40 are amended to clarify the incrementing recited in the claims.

Claims 12-14 are rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. The Applicant's are confused by the rejection. It is unclear exactly what the Examiner finds lacking in the specification, as the claim clearly recites "network communication units having a cascade connection including said connecting unit." Therefore, **any** network communication unit connected to one of the ports would be either of the components referenced by the Examiner, i.e., T-Piece or cascade module, as part of the claimed network communication unit. However, it is believed that the amendments to claim 12 obviate the Examiner's rejection based on 35 U.S.C. 112, first paragraph.

Claims 12-13, 15-16, 19-20, 23-35, and 38-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Gupta, et al., (U.S. 5,113,391 – “Gupta”).

Claim 12 is amended to explicitly recite bypassing the data path of a port to which an active communication unit is not coupled based upon point-to-point control messages on a control path provided from each of the said ports to either of the others and separate from said data path. The claimed connecting unit includes separate and distinct data and control paths provided from each of the said ports to either of the others. Gupta never suggests what is claimed. Neither of Figures 5 or 11 show distinct data and control paths provided between each port of the cascade units of Gupta. Further, in his response to arguments section, the Examiner points to Figure 7 and the corresponding description. However, it is clear from Figure 7 that SANITY and SANITY1 from the controller 108 terminate at the multiplexers to perform the select function, and do not provide control paths provided from each of the said ports to either of the others, as claimed.

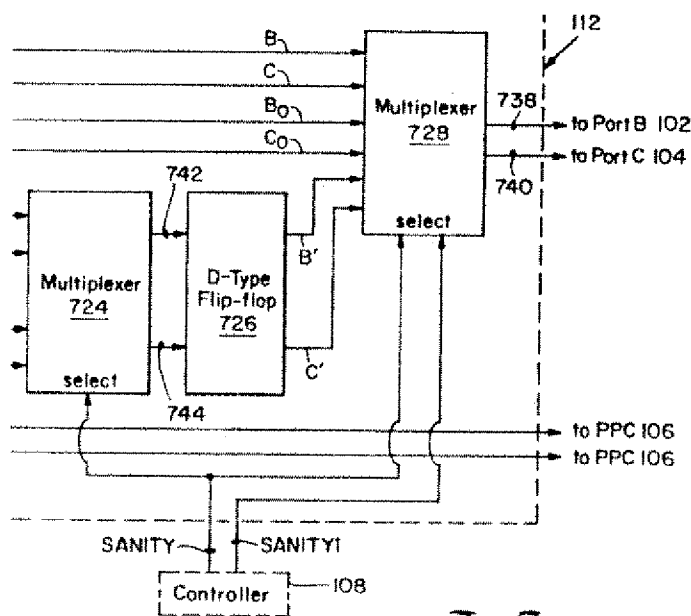


Fig. 7

Further, at col. 7, lines 41-52 describe how the SANITY and SANITY1 bits are used to select from a choice of three delays from the shift registers for the data stream, see below:

In providing an alternate route for the data stream, it is important that the bypass circuit match any delays that would have been encountered by the bypass mode data had it traveled along the regular non-bypass route. In this way, synchronization of the out-of-service ICU with the other ICU's in the system is maintained. Since delays of zero, one, or two bytes along the non-bypass route are possible in the present embodiment, the controller 108 must determine which of the three delay amounts is appropriate for a given situation and then communicate this information to the bypass circuit in the form of two bits: SANITY and SANITY1. When

The lines connected to the controller are not included in any of 738, 740, 742 or 744. Gupta can never teach a connector unit including separate data and control paths provided from each of the said ports to either of the others, as claimed. Further, the Examiner's reference to items 106 (from/t PPC) is a data path, not a control path as the Examiner appears to assert, see col. 6, lines 36-42, below:

The general function of the bypass circuit is to provide an interface between the PPC 106 and ports B 102 and C 104. In particular, this bypass interface is capable of either allowing data to flow unhindered between the PPC 106 and the I/O ports 102 and 104 or rerouting data so that it flows directly between ports B and C without reaching the PPC. Thus, despite the name 'by-

There, a data path is clearly described. Even if items 106 (from/t PPC) were also control paths (which is not the case and not admitted) that could never anticipate the separate control and data paths recited in the independent claims.

Further still, the Examiner's reference to interface units 114, 116, and 118 is non-sequitor. The interface units have nothing to do with ports that have both data and control paths. Claims are three procs, the Examiner points to at

least six. Therefore, it is respectfully requested that the rejection of independent claim 12 and dependent claims 13 and 14 be reconsidered and withdrawn.

Regarding claim 13 more specifically, it has been clearly demonstrated, above, that Gupta fails to teach each port has control lines separate from said data path for transmitting and receiving said point-to-point control messages, as claimed. Items 106 are data lines, and no control messages are multiplexed at the multiplexers. The bits from the controller simply select a time delay at the multiplexer.

The remainder of the independent claims is distinguishable from Gupta for at least the above described reasons. Each claim recited separate data and control paths to and from each port. Gupta fails to teach this. The SANITY and SANITY1 lines do not provide control lines at each port. Further, Items 106 are data lines, not control paths. Therefore it is respectfully requested that the claims, as amended, be reconsidered and the rejections based on Gupta be withdrawn.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-3650.

Respectfully submitted,  
3Com Corporation,

By



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